

for the first vacancy from not more than the highest three persons certified, or from the register, with sole reference to merit and fitness, unless objection shall be made and sustained by the Commission, to one or more of the persons certified, for any of the reasons stated in § 5.3, or in the case of highly confidential positions in the State, War, and Navy Departments for such other reasons as may be approved by the Commission. * * * [As amended by E.O. 8300, Dec. 12, 1939; 4 F.R. 4847]

NOTE: The first sentence of paragraph (a) (2) of this section was amended by E.O. 8300, Dec. 12, 1939; 4 F.R. 4847.

PART 9—REINSTATEMENT

CIVIL SERVICE RULE IX

§ 9.2 *Probationer.* A person separated from the service during or at the end of his probationary period may be reinstated, subject to the other provisions of the civil-service rules, under the following conditions:

(a) If involuntarily separated without fault on his part he may be reinstated to serve a new probation in any part of the service in any position for which he is qualified or can qualify in an appropriate noncompetitive examination; but reinstatement in the same position in or under the same department or agency will be to complete probation.

(b) If separated by reason of voluntary resignation he may be reinstated only in the same office, in a position for which originally eligible, to complete probation. (R.S. 1753, sec. 2, 22 Stat. 403; 5 U.S.C. 631, 633) [As amended by E.O. 8179, June 21, 1939; 4 F.R. 2468]

PART 10—TRANSFER

CIVIL SERVICE RULE X

§ 10.6 *Transfer certificate required.*

(a) *Absolute appointment.* Such person must have received absolute appointment. [As amended by E.O. 8179, June 21, 1939; 4 F.R. 2468]

PART 11—PROMOTION

CIVIL SERVICE RULE XI

§ 11.1 *Competitive tests.*

(1) No employee during probation shall be eligible for promotion except upon approval of the Commission previously obtained.

(2) The service ratings of the employee in the position from which he seeks promotion, when declared by the Commission to be in line of promotion, shall be given due weight in any such examination. (R.S. 1753, sec. 2, 22 Stat. 403; 5 U.S.C. 631, 633) [As amended by E.O. 8179, June 21, 1939; 4 F.R. 2468]

PART 50—SCHEDULE A: NONCLASSIFIED POSITIONS EXCEPTED FROM EXAMINATION¹

NOTE: Reorganization Plans No. I and No. II, have necessarily revised the language of this part, but there has been no formal revision by Executive order during the calendar year 1939.

Sec.

- 50.0 Nonclassified positions excepted by § 2.3 (b) from examination.
- 50.1 Entire executive civil service.
- 50.2 State Department.
- 50.3 Treasury Department.
- 50.4 War Department.
- 50.5 Navy Department.
- 50.6 Department of Justice.
- 50.7 Post Office Department.
- 50.8 Department of the Interior.
- 50.9 Department of Agriculture.
- 50.10 National Emergency Council.
- 50.11 Department of Commerce.
- 50.12 Interstate Commerce Commission.
- 50.13 Department of Labor.
- 50.14 Bureau of the Budget.
- 50.15 Export-Import Bank of Washington.
- 50.16 Civil Aeronautics Authority.
- 50.17 Railroad Retirement Board.
- 50.18 Veterans' Administration.
- 50.19 Social Security Board.
- 50.20 Employees' Compensation Commission.
- 50.21 Farm Credit Administration.
- 50.22 Federal Power Commission.
- 50.23 Securities and Exchange Commission.
- 50.24 National Railroad Adjustment Board.
- 50.25 National Mediation Board.
- 50.26 National Training School for Boys.
- 50.27 Board of Tax Appeals.
- 50.28 National Resources Committee.
- 50.29 Puerto Rico Reconstruction Administration.

¹ See § 2.3 (a).